



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

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February 19, 2014

Blue Stream LLC
P.O. Box 416
Ellicott City, MD. 21041
ATTN: Arnold Sagner

RE: WP-14-081(Blue Stream-Parcel L-1)
Section 2: Lots 1-103 and O.S. Lot 104)
[associated with SDP-14-029]

Dear Mr. Sagner:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.120(c)(4)** which requires that single-family-attached lots shall have a minimum of 15 feet of frontage on a public road. Single family attached lots may be approved without public road frontage provided they front on a commonly owned area containing a parking area or private road not exceeding a length of 200 feet measured from the edge of the public right-of-way along the centerline of the private road.

Approval is subject to the following conditions:

1. The Home Owner's Association will be the responsible party for the maintenance of the private roads and stormwater conveyance and management facilities. Water and sewer shall be public and maintained for each unit within a recorded public easement.
2. **Blue Stream Drive as shown on SDP-14-029, north of the cul-de-sac, shall be public up to the tee turnaround per the attached comments from the Development Engineering Division.**
3. The proposed, private, internal roads within the project shall be designed and constructed in accordance with the requirements of DED and DFRS as part of SDP-14-029.
4. A general note shall be added to SDP-14-029 that clearly states that all internal roads in this development are privately owned and to be maintained by the HOA, which will provide private trash collection and snow removal services.
5. The developer shall record any necessary "cross-easements" for shared access and parking for this development and reference the recorded easement LIBER/FOLIO as a general note on SDP-14-029 and the associated final plat(s).

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

Per the applicant's justification, the applicant is requesting that the maximum distance from the edge of the public right-of-way measured along the centerline of the private road to a single family attached lot "be increased from 200' to 930'. The private road network is designed to accommodate fire vehicles, private trash collection and school buses. Each community within Blue Stream has its own Association

which is responsible for the coordination of the private trash collection, snow removal and maintenance of the common area, owned by the HOA. The community is better served by utilizing private snow removal and trash collection and the County will not incur the cost of these services." In addition, per the applicant's justification, "should the waiver not be granted, the project would be required to be redesigned to meet public road and right-of-way requirements which would change the character of the neighborhood and it would no longer be consistent with the other Blue Stream communities."

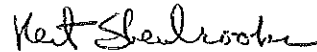
Nullifies the Intent or Purpose of the Regulations or Detrimental to the Public Interest:

The applicant believes that with the current proposal, the intent of the regulations is being met to a greater extent based on the fact that the proposed project "increases the quality and timeliness of services and reduces costs to the County. This proposed private configuration has been proven in other communities such as the adjacent "Dorset Gardens" community and would not be detrimental to the public interest."

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as this site development plan remains in active processing.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

attachment

KS/TKM/waivers 2014/Blue Stream, Parcel L-1 WP-14-081 approval 2-19-14

cc: Research
DED
Vogel Engineering
SDP-14-029 file